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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

In re J.C., a Person Coming Under the  
Juvenile Court Law.

B211156

THE PEOPLE,

(Los Angeles County  
Super. Ct. No. FJ43703)

Plaintiff and Respondent,

v.

J.C.,

Defendant and Appellant.

APPEAL from an order of the Superior Court of Los Angeles County,  
Michael Price, Temporary Judge. (Pursuant to Cal. Const., art. VI, § 21.) Affirmed.

Anne E. Fragasso, under appointment by the Court of Appeal, for Defendant  
and Appellant.

No appearance for Plaintiff and Respondent.

J.C. appeals from an order imposing restitution in the amount of \$25,350. Previously, he had been declared a ward of the court pursuant to Welfare and Institutions Code section 602 following his admission that he committed first degree residential burglary (Pen. Code, § 459) and he had been placed on probation. Included in the terms of probation was restitution on all related losses.

The evidence at the restitution hearing established that, on June 9, 2008, Maria Sanchez was the victim of a residential robbery. When she returned home, she noticed a safe she kept in her closet had been taken out of her apartment and that her home had been ransacked. She kept jewelry and approximately \$26,000 in cash in the safe. She later learned that the safe had been found on a nearby street and that \$5,000 was still in the safe. Ms. Sanchez had a business and had been saving money, “little by little,” for 45 years. She saved little packages of \$100 or \$200, placing them in perfume boxes, and when she had \$1,000, she would put it in an envelope. When she had \$10,000, she would seal the envelope and write the amount on the outside of the envelope. After the burglary, she found empty envelopes. She checked and counted her money almost every day and had verified the amount of money the day before.<sup>1</sup> In the safe, she also had a diamond ring purchased approximately 18 years earlier for \$1,000 and her diamond solitaire engagement ring. She also kept two men’s watches and chains in the safe. Earrings she kept in the safe were taken, but had been recovered.

Ms. Sanchez identified a supplemental property loss report taken by the police indicating a loss of two bundles of \$100 bills totaling \$10,000 each and bundles of \$20 bills totaling \$5,000. Additionally listed was a yellow gold ring with stones valued at \$500, which Ms. Sanchez stated was worth \$1,000. Her diamond solitaire engagement ring was not included in the report and Ms. Sanchez estimated the value of that ring at \$700. Three bracelets for a total value of \$600 were listed, one of which was recovered.

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<sup>1</sup> She testified she did not trust the boy who lived with her and that he had participated in the burglary by opening the door.

Earrings listed in the report had been recovered. Also included in the report was a yellow gold chain necklace valued at \$2,500 and \$250 in small bills.

Of the jewelry, two rings, one bracelet, three watches, and a chain were still missing. Since their purchase, their value had not been determined.

Appellant testified he and co-minor O.T. took \$10,000 along with earrings and a chain during the burglary. The jewelry was returned. Appellant knew it was \$10,000 because he and O.T. counted it. Appellant split the money with O.T. and with “Victor,” who lived at the house. Appellant took the safe outside where it fell and opened. They saw a stack of money, took it, and left. It was just one stack in a rubber band. Appellant and O. T. each took \$4,000 and gave Victor \$2,000. Appellant did not see envelopes with money or open envelopes, only a lot of papers. Appellant took the necklace, a couple of earrings, and a bracelet to the pawnshop, but no other jewelry. Appellant admitted that he left a number of unopened boxes inside the safe, out in the street, for anyone to retrieve.

The court concluded that the amount of restitution owed was \$25,350, adding \$1,000 for the one ring missing from the police report. The court stated it believed appellant but the reality was that the safe would not have been out in the public if it had not been for appellant and O.T.’s actions.

After review of the record, appellant’s court-appointed counsel filed an opening brief requesting this court to independently review the record pursuant to the holding of *People v. Wende* (1979) 25 Cal.3d 436, 441.

On May 7, 2009, we advised appellant that he had 30 days within which to personally submit any contentions or issues which he wished us to consider. No response has been received to date.

We have examined the entire record and are satisfied that no arguable issues exist and that appellant has, by virtue of counsel’s compliance with the *Wende* procedure and our review of the record, received adequate and effective appellate review of the order entered against him in this case. (*Smith v. Robbins* (2000) 528 U.S. 259, 278; *People v. Kelly* (2006) 40 Cal.4th 106, 112-113.)

## **DISPOSITION**

The order is affirmed.

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WILLHITE, J.

We concur:

EPSTEIN, P.J.

MANELLA, J.